

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK**

-----X

MARIE ANNE THOMAS, et al.,

Plaintiffs,

ORDER

-against-

09-CV-5167 (SLT)

**NEW YORK CITY DEPARTMENT OF
EDUCATION, et al.,**

Defendants.

-----X

In an Order issued earlier today, Judge Townes, among other things, referred to the undersigned magistrate judge plaintiff's request for a preservation order and an order directing defendants to produce certain documents relating to their alleged withholding of plaintiff David Pakter's paychecks. The Court has reviewed plaintiffs' submissions in this regard, and there is no indication that the motion was preceded by good faith discussions between counsel in an effort to resolve these discovery issues informally, without judicial intervention -- as required by both the Local and Federal Rules. Therefore, plaintiffs' discovery application is denied without prejudice.

SO ORDERED.

**Dated: Brooklyn, New York
March 1, 2010**

**ROANNE L. MANN
UNITED STATES MAGISTRATE JUDGE**